



Order Filed on November 20, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004

**TRENK, DiPASQUALE,
DELLA FERA & SODONO, P.C.**
427 Riverview Plaza
Trenton, New Jersey 08611
(609) 695-6070
Andrea Dobin
Michele M. Dudas
Attorneys for Andrea Dobin, Chapter 7 Trustee

In re:

ARTHUR CHRISTY,

Debtor.

Case No. 17-15332 (CMG)

Honorable Christine M. Gravelle, U.S.B.J.

Chapter 7

**STIPULATION OF SETTLEMENT AND CONSENT
ORDER RESPECTING SETTLEMENT OF AVOIDANCE
ACTIONS AGAINST DEBTOR, AND GRANTING
RELATED RELIEF**

The relief set forth on the following pages two (2) and four (4) is hereby **ORDERED**.

DATED: November 20, 2017

A handwritten signature in black ink, reading "Christine M. Gravelle", is written over a horizontal line.

Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Arthur Christy
Case No: 17-15332 (CMG)
Caption of Order: Stipulation and Consent Order Resolving Avoidance Actions Against Debtor and Granting Related Relief

WHEREAS, on March 20, 2017, the Debtor filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code (the “Petition Date”); and

WHEREAS, the Debtor filed his Schedules and Statement of Financial Affairs with his bankruptcy petition; and

WHEREAS, the Debtor signed both the Schedules and Statement of Financial Affairs submitted with his bankruptcy petition under penalty of perjury; and

WHEREAS, Andrea Dobin (the “Trustee”) was appointed the Chapter 7 Trustee in the Debtor’s case on March 21, 2017 and continues to serve in that capacity; and

WHEREAS, the Debtor affirmatively stated that he has no interest in any businesses in response to Question 19 of Schedule “B” of his bankruptcy schedules. However, the Debtor has an ownership in Christy Management Corp.; and

WHEREAS, the Debtor affirmatively stated that no party owed him any money in response to Question 30 of Schedule “B” of his bankruptcy schedules. However, Christy Management Corp. owes him money in an unknown amount (“Receivable”); and

WHEREAS, the Debtor received \$1,500 (the “Payment”) from Christy Management Corp. (the “Company”) on or about April 11, 2017, less than one month after he filed his Bankruptcy Petition and before he appeared at his First Meeting of Creditors; and

WHEREAS, upon information and belief, the Payment was in partial satisfaction of sums owed to the Debtor by the Company; and

WHEREAS, any sums due and owing to the Debtor as of the Petition Date, including the Receivable, are property of the Estate pursuant to 11 U.S.C. §541; and

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Debtor: Arthur Christy
Case No: 17-15332 (CMG)
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WHEREAS, the financial obligation owed to the Debtor by the Company, including the Receivable and Payment, is property of the Bankruptcy Estate; and

WHEREAS, in response to Question 8 of the Statement of Financial Affairs, the Debtor affirmatively stated that he did not transfer any property to an insider on account of a debt that was owed; and

WHEREAS, within a year of the Petition Date, the Debtor transferred his Submariner Rolex watch with an estimated value of \$5,000 to his father, allegedly on account of a financial obligation due and owing by the Debtor to his father (“Post-Petition Transfer”); and

WHEREAS, the Debtor’s father is an insider of the Debtor; and

WHEREAS, by letter dated May 16, 2017, the Trustee demanded that the Debtor turnover the Payment and, thereafter, began discussions regarding the Post-Petition Transfer (collectively, the “Demand”); and

WHEREAS, in response to the Demand, the Trustee and the Debtor have agreed to resolve the Demand on the terms and conditions outlined above; and

WHEREAS, the Debtor has amended his schedules and Statement of Financial Affairs to cure the aforementioned errors.

NOW THEREFORE, intending to be legally bound hereby, the parties stipulate and agree as follows:

1. The Debtor will make six (6) monthly payments totaling \$6,500 to the Trustee as follows to resolve the Demand: (a) commencing as of October 1, 2017, the Debtor will make five (5) monthly payments of \$1,050; and (b) a sixth (6th) and final payment of \$1,250 on or before March 1, 2018.

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Debtor: Arthur Christy
Case No: 17-15332 (CMG)
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2. In the event of non-payment, the Debtor will have the right to a notice to cure within five (5) days from written notice of default to Debtor's counsel, via electronic mail.

3. Should the Debtor default and fail to cure any payment, the Debtor acknowledges and agrees that said default constitutes a failure to abide by a court order and he has no defense and will not assert any in the event that the Trustee seeks to revoke his discharge pursuant to 11 U.S.C. § 727(a)(6).

4. The parties acknowledge that this Stipulation and Consent Order relates solely to the Demand and nothing contained herein limits the rights or remedies of the Trustee relating to any and all other assets of this bankruptcy estate, whether disclosed or undisclosed, discovered or undiscovered as of the date of the Stipulation and Consent Order.

The undersigned represent and warrant that they have authority to execute this Stipulation and Consent Order on behalf of their clients and bind them to the terms hereof.

**TRENK, DiPASQUALE,
DELLA FERA & SODONO, P.C.**
*Counsel to Andrea Dobin,
Chapter 7 Trustee*

**LAW OFFICE OF RICHARD J. PEPSNY,
P.A.**
Counsel to Arthur Christy, Chapter 7 Debtor

By: /s/ Andrea Dobin
Andrea Dobin

By: /s/ Richard J. Pepsny
RICHARD J. PEPSNY

Dated: October __, 2017

Dated: October __, 2017

Certificate of Notice Page 5 of 5
United States Bankruptcy Court
District of New Jersey

In re:
Arthur Christy
Debtor

Case No. 17-15332-CMG
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Nov 20, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 22, 2017.

db +Arthur Christy, 2 Beach Way, Sea Bright, NJ 07760-2102

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 22, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 20, 2017 at the address(es) listed below:

Alan R. Ostrowitz on behalf of Creditor Valley National Bank ostrowlaw@optonline.net
Andrea Dobin on behalf of Trustee Andrea Dobin adobin@trenklawfirm.com
Andrea Dobin ecftrusteead@trenklawfirm.com, NJ55@ecfcbis.com
Denise E. Carlon on behalf of Creditor U.S. Bank National Association, as trustee, on behalf of the holders of the Home Equity Mortgage Trust 2006-3 Home Equity Mortgage Pass-Through Certificates, Series 2006-3 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Joseph H. Lemkin on behalf of Defendant Eugene Wishnic jlemkin@stark-stark.com
Michael R. Caruso on behalf of Creditor Platte River Insurance Company mcaruso@csglaw.com, ecf@csglaw.com
Michael R. Caruso on behalf of Creditor Capitol Indemnity Corporation mcaruso@csglaw.com, ecf@csglaw.com
Michele M. Dudas on behalf of Trustee Andrea Dobin mdudas@trenklawfirm.com
Michele M. Dudas on behalf of Plaintiff Andrea Dobin mdudas@trenklawfirm.com
Richard J. Pepsny on behalf of Debtor Arthur Christy pepsnylawfirm@msn.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11